

## **REMARKS**

Applicants appreciate the thorough examination of the present application as evidenced by the Office Action. Applicants submit that the present rejections should be withdrawn for at least the reasons discussed below. Applicants acknowledge that Claims 9, 12-15, 19-23, 29 and 49-58 have been withdrawn responsive to the previous election requirement. However, as Applicants believe patentable generic claims are presented, Applicants have included the withdrawn claims in the listing of claims for the Examiner's reference.

### **The Prior Art Rejections:**

Claims 1, 5-8, 10-11, 16-18, 24-28, 30-35, 37-38 and 40-48 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Painter, Jeffrey E., "Navigation System that Supports Multiple Languages and Format," which Applicants understands to correspond to European Patent Application No. EP1300655 to Painter ("Painter"). Office Action, p. 3. Claims 2-4, 36 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Painter in view of United States Patent No. 5,860,073 to Ferrel et al. ("Ferrel "). Office Action, p. 11. Applicants respectfully submit the rejected claims are allowable at least for the reasons further discussed below.

### **Independent Claims 1 and 44 are Patentable:**

Independent Claim 1 recites, in part:

wherein the received data record comprises at least one of the following:  
a message type selected from a plurality of message types each having an associated style sheet and wherein retrieving a style sheet comprises retrieving a style sheet associated with the message type of the data record and with the selected language;

network resource utilization and/or event indicator data collected by an application manager agent at a remote location; or

a schema defining data and a style sheet identifier that identifies the style sheet and wherein retrieving a style sheet comprises retrieving a style sheet based on the style sheet identifier and wherein formatting the data record comprises formatting the data record based on the style sheet and the schema.

Of these three data record options, the first corresponds to elected species 3, the second to species 2 and the last to species 2. Independent Claim 44 contains corresponding recitations. The rejection of Claims 1 and 44 asserts that the first, related to a message type, is disclosed by Painter. More particularly, the Office Action states if "the language and format independent data structure receives a request from a user's computing platform requiring the instructions be presented in HTML format, the application uses a style sheet to present the instructions in an HTML format and a language-specific format as well which meets the limitation." Office Action, p. 4. The Office Action cites to Paragraphs 53-55 of Painter as containing such a disclosure.

However, this portion of Painter merely describes an embodiment where the data conversion application 240 in the customer-interface server 202 provides maneuvering instructions to the "end user's computing platform in HTML format." Painter, Para. 55. However, the data structure 420 of Painter the Applicants understand is relied on as disclosing the claimed data record is received from the information server 200, not from the end user's computing platform 130. Thus, even were a request from the platform 130 to the server 202 to be considered a message type as alleged in the Office Action, it is clearly not part of the data structure 420. Accordingly, the rejections of Claims 1 and 44 and the claims that depend therefrom should be withdrawn for at least these reasons.

Furthermore, even were the request from the platform 130 and the data structure 420 a common structure, they would not be a message type selected from a plurality of message types and each having an associated style sheet as recited in Claim 1. As described in the Painter excerpt, the platform only specifies HTML, it does not provide different requests where each is a different type with a different associated style sheet. Only a single type request is discussed. Accordingly, the rejections of Claims 1 and 44 and the claims that depend therefrom should also be withdrawn for at least these additional reasons.

For the sake of completeness, Applicants further note that neither of the other listed data record options of Claim 1 is taught by Painter. While XML and XML style sheets are discussed in Painter, Applicants' representative can find no mention of schema nonetheless any suggestion of inclusion of a schema and a style sheet identifier in the data structure 420.

Similarly, given that Painter is directed to navigation systems, it is not surprising that there is no discussion of network resource utilizations and/or event indicator data or collection of data by application manager agents at remote locations in Painter. Accordingly, independent Claims 1 and 44 are patentable over the cited art for at least these reasons.

**Independent Claims 27, 32, 46 and 48 are Patentable:**

Independent Claim 27 recites, among other things, generating data values **and** further incorporating the generated data values and an identification of a style sheet in a language independent markup document **at a first data processing system**, followed by forwarding the language independent markup document **from the first data processing system to a second data processing system**. In other words, the system creating a markup document including both data and a style sheet identification is the system generating the data.

Independent Claims 32, 46 and 48 contain corresponding recitations.

In rejecting Claims 27, 32, 46 and 48, the Office Action asserts, among other things, that "[f]ormulating a response to a request for navigation information at a remotely located server when received from an end user" discloses the generating data recitation and that the formulated response is in a language and format independent document including an identification of a style sheet. Office Action, p. 7 (*citing* Painter, Paragraphs 1-5). However, as described in Painter, the data structure 420 is generated by the information server 200 and provided to a customer interface server 202 without any style sheet identification. Painter, Paragraph 49. In fact, the advantage claimed by Painter for its navigation system is that the information server 200 need not provide any user specific formatting, as such is provided by the customer interface server 202, which may use style sheets in doing the user specific formatting. Painter, Paragraphs 53-54, 56 ("separating the functions of providing navigation-related information from the customer-specific issues"). Thus, rather than disclosing the identification of the style sheet at the data generating navigation information server 200 and incorporating the identification in the data structure 420 at the navigation information server 200, Painter teaches away from such an approach. Accordingly, the rejections of independent Claims 27, 32, 46 and 48 and the claims that depend therefrom should be withdrawn for at

least these reasons.

### **Various of the Dependent Claims Are Separately Patentable**

The dependent claims are all patentable at least based on their dependence on one of the independent claims as discussed above. In addition, various of the dependent claims are separately patentable. For example, Claims 5 and 24 recite inclusion of a locale attribute in a plurality of style sheets that specifies an associated language. While the cited paragraph 4 of Painter does discuss display of navigation instructions in different languages, there is no discussion of implementing such through use of an attribute as recited in Claim 5. Additional details of implementing selected language display of language and format independent data records are contained, for example, in Claims 8, 25 and 26 and, as with Claim 5, Applicants submit that Painter neither expressly nor inherently discloses such implementation details. Accordingly, Claims 5, 8, 25 and 26 are also separately patentable for at least these reasons.

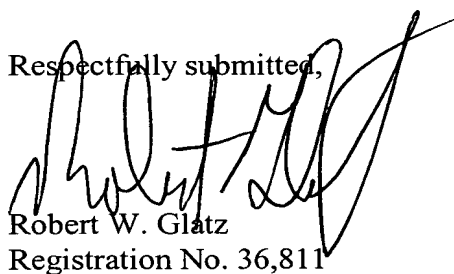
By way of further example, in rejecting Claim 18, the Office Action asserts the Builder Application 400 of Painter discloses the recited system management program. However, as seen with reference to the recitations of Claim 17, from which Claim 18 depends, it is the formatted data record that is provided to the system management program "for further processing." In contrast, it is the Builder Application 400 of Painter that generates the language independent data structure 420. Painter, Paragraph 49. Accordingly, Claim 18 is also separately patentable for at least these reasons. With respect to Claims 33 and 35, the Office Action merely asserts that Painter discloses "a language-independent format." Office Action, pp. 8-9. However, this recitation refers to the program format of an application, not a display language and the Office Action fails to even address the recitation that the data generation module be coded as "a language independent binary." Accordingly, Claims 33 and 35 are separately patentable for at least these reasons. Claims 42 and 43 are similarly separately patentable as the Office Action fails to address the actual recitations of these claims as well.

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Serial No.: 10/609,987  
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### Conclusion

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



Robert W. Glatz

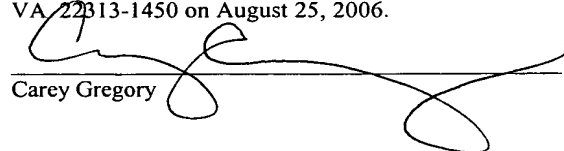
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